

# Executive Summary

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## DoD Chaplain Program

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**Purpose:** Our overall objective was to evaluate the efficacy of the DoD processes to:

- add new religions to the chaplain program;
- recognize and review chaplain endorsing ecclesiastical organizations;
- recruit, train, retain, and dismiss chaplains; and
- provide Military Departments and Office of the Secretary of Defense oversight of chaplain programs.

**Background:** Allegations against Islamic religious organizations that endorsed Islamic chaplains to the Military Departments generated congressional concerns about the credibility of the DoD accession process for military chaplains. Beginning in March 2003, Senator Charles Schumer sent a series of letters to the DoD Inspector General requesting an inquiry into the organizations vetting candidates and the process for selecting Islamic chaplains for the Military Departments. The Inspector General subsequently recommended to the Under Secretary of Defense for Personnel and Readiness that the Department consider vetting religious organizations that provide chaplain endorsing services to the Department of Defense and subsequently discussed the recommendation with congressional leaders. On October 14, 2003, the Principal Deputy Under Secretary of Defense for Personnel and Readiness testified before the Senate Judiciary Subcommittee on Terrorism, Technology, and Homeland Security on the officership and credentialing of military chaplains. We initiated this evaluation on October 23, 2003, to respond to Senator Schumer's request.

**Results:** The DoD chaplain program reflects the efforts of OSD and the Services to meet the spiritual needs of Service members, while balancing national security and religious freedom. DoD process controls limit program participation to clergy that fulfill the religious needs of members of the Armed Forces, their family members, and other authorized individuals, such as military retirees and civilian employees. The chaplain program stresses religious pluralism to fulfill those needs.

The focus of program regulations and procedures is to obtain professionally qualified clergy and to verify the candidate's officership and trustworthiness, as well as professional and religious qualifications. Officership qualifications for chaplains are virtually identical to the qualifications of military officers recruited for other specialties. The professional qualifications for chaplains are similar and comparable to other military professionals, such as doctors and lawyers. The certification of religious qualifications is unique within the military in that the leaders of a faith group determine the religious qualifications of their clergy person. DoD relies on religious organizations and their agents to determine religious qualifications for endorsing chaplain candidates.

DoD developed and implemented controls over the accession, conduct, and dismissal of military chaplains. During our review, program officials updated policy and incorporated many of our suggested changes. However, the Deputy Under Secretary of Defense for Military Personnel Policy could further improve operating procedures of the Armed Forces Chaplains Board to administer DoD policies regarding religious organizations and their agents who endorse chaplain candidates. We identified five opportunities to improve the overall chaplain program:

1. The Armed Forces Chaplains Board should establish internal operating procedures to verify or revalidate religious organizations and their agents who endorse chaplain candidates.
2. The chaplain program should establish disqualification criteria for religious organizations and/or their endorsing agents.
3. The Deputy Under Secretary of Defense for Military Personnel Policy should establish procedures to identify when religious organizations, endorsing agents, or chaplains fail to meet DoD Chaplain program policy.
4. The Deputy Under Secretary of Defense for Military Personnel Policy should complete, publish, and implement an updated program policy, and should effectively communicate the changed requirements to all program stakeholders.
5. The Army and the Navy Chiefs of Chaplains should address the withdrawal of the chaplain insignia of office for those chaplains undergoing dismissal proceedings.  
(Note: The Air Force has already established this policy.)

On June 11, 2004, the Deputy Under Secretary of Defense for Military Personnel Policy reissued DoD Directive 1304.19, "Appointment of Chaplains for the Military Departments," and issued the implementing DoD Instruction 1304.28, "Guidance for the Appointment of Chaplains for the Military Departments," dated June 11, 2004. During our evaluation, we reviewed the draft documents and identified areas for improvement. The Deputy Under Secretary of Defense Military Personnel Policy agreed with our suggestions and incorporated the changes to the draft policy.

**Management Comments.** The Acting Deputy Under Secretary of Defense for Military Personnel Policy concurred with Observations 1, 2, and 5. He nonconcurred with Observation 3, stating that "suggested actions were legally problematic to the DoD Office of General Counsel." He stated "a chaplain ordinarily receives sufficient scrutiny for selection, appointment, and merit-based retention – all centering on individual merit. However, consistent with longstanding practice, Treasury's Internal Revenue Service should remain the focal point for institutional merit." Furthermore, he stated that DoD IG should "report its concerns regarding the frequency of review of previous tax-exemption determinations, to Treasury's Inspector General and urge more frequent review." See Appendix D for the complete response.

The Army nonconcurred with Observation 4 stating "current Army policies and personnel procedures provide for adjudication of offenses within the Army's legal and administrative systems. These extant procedures for judicial and non-judicial personnel actions are applicable to all officers including chaplains. Removal of an officer's designation as chaplain ought not to

be punitive or viewed as an initial response to alleged offenses or misconduct. No requirement exists to remove a chaplain's branch designation as a primary response to an alleged offense." See Appendix E for the complete response.

The Navy concurred with Observation 4, stating, "current Navy policies and personnel procedures provide for adjudication of offenses within the Navy's legal and administrative systems. These extant procedures for judicial and non-judicial personnel actions are applicable to all officers including chaplains. Removal of an officer's designation as chaplain ought not to be punitive or viewed as an initial response to alleged offenses or misconduct. No requirement exists to remove a Chaplain's Corps designation as a primary response to an alleged offense. However, there may be reason to explore such authority and procedure after initial actions have been taken and are to be done so from the standpoint of professional qualifications to provide religious ministry in the Department of the Navy. Currently several instructions governing the policy on chaplain service in the Navy are under revision. The recommendation of the DoD IG will be considered during this process." See Appendix F for the complete response.

**I&E Response.** The Acting Deputy Under Secretary of Defense for Military Personnel Policy comments are not fully responsive to the recommendation. The intent of the recommendations was to develop a process to react to available information, not to proactively judge institutional merit. DoD should be able to reject endorsements from any religious organization or endorsing agent convicted of terrorist or criminal actions. We do not anticipate that DoD would contemplate adverse action while an investigation of alleged wrongdoing was under way. However, DoD may address congressional concerns by taking appropriate action on organizations and agents that the courts have found guilty of violating laws aimed at safeguarding the safety of the United States and its citizens. The DoDI 1304.28 and the Under Secretary of Defense October 14, 2003 memorandum (Appendix C) requires tax exemption status for ecclesiastical endorsing organizations. Resolving concerns about the credibility for DoD's use of the Department of the Treasury's Internal Revenue Code 501(c)(3) as a tax-exempt requirement is the responsibility of the Deputy Under Secretary of Defense for Military Personnel Policy.

We expanded the discussion in Observation 3, revised Recommendations a. and b., and added Recommendations c. and d. to emphasize the need for due diligence in recognizing religious organizations and their endorsing agents. The Acting Deputy Under Secretary of Defense for Military Personnel Policy is requested to comment on the final report by December 17, 2004.

The Recommendation to Observation 4 concerns chaplains undergoing actions that warrant relief from duties or dismissal for cause. The Air Force has procedures in place for the removal of chaplain designation and insignia. The Navy concurred with Observation 4, and their comments were responsive to the Recommendation. We request that the Army reconsider its position on this Recommendation and provide a formal response to the final report. We believe that the removal of a chaplain designation is not punitive in nature. Instead, the designation removal is protective of those members of the military that might assume an officer wearing the designation is a practicing chaplain. Otherwise, a military member could request professional services such as counseling, communion, or the hearing of confession from a chaplain who may be unqualified or suspended from chaplain duties.